IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.773 of 2005 (M/B) (P.I.L.)

Nank Chand Gupta, Advocate,
S/o Sri Murlidhar,
R/o House No. 4/4 Officers Colony,
Pines, District Nainital …….. Petitioner

Versus

State Bar Council,
Through its Secretary of Uttaranchal Bar Council,
High Court Campus,
District Nainital and 21 others …… Respondents

Mr. N.C. Gupta, Advocate in person.
Mr. Arvind Vashishth, Advocate for the Bar Council of Uttaranchal

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

P.C. VERMA, J. (Oral)

1. The petitioner is an Advocate. He has filed this writ petition as a 'Public Interest Litigation' seeking a relief for conducting the Advocate Welfare Scheme and for that, to create a fund which has not been done so far.

2. Mr. Arvind Vashishth, learned counsel for the Uttaranchal Bar Council submitted that the steps have been taken for formation of the Scheme and the creation of fund is in process which may take some more time. After the implementation of the Scheme and the creation of fund, the money lying with the State Government shall be transferred to the Fund and the statutory duty cast upon by the Act shall be duly discharged. Learned counsel for the petitioner submitted that after the creation of State Bar Council of Uttaranchal, certain Advocates have died, whose dependents are entitled for some monetary relief and other benefits in terms of prevalent schemes like Group Insurance. Mr. Arvind Vashishth submitted that all the pending

applications have been disposed of and two applications are pending, which are being processed.

3. We have considered the rival submissions made by the leaned counsel for the parties. Since the State Bar Council of Uttaranchal has taken appropriate steps, we are not inclined to issue any further direction, as we do not find any fault or inaction on the part of the State Bar Council.

4. Therefore, this ‘Public Interest Litigation’ is closed.

(P.C.Verma, J.) **(Rajeev Gupta, C.J.)**
16.02.2006 **16.02.2006**

G